UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/602,425	06/24/2003	William G. Pagan	RPS920030088US1/2858P	9632

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EXAMINER
NUNEZ, JORDANY

ART UNIT	PAPER NUMBER
2175	

NOTIFICATION DATE	DELIVERY MODE
05/15/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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	Application No.	Applicant(s)
Office Action Summary	10/602,425	PAGAN, WILLIAM G.
	Examiner	**Art Unit**	
	JORDANY NUNEZ	2175	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _07 February 2008_.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-4,6,10,12-16,21,23-27,32,35-37,39,41,43 and 45-52_ is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-4,6,10,12-16,21,23-27,32,35-37,39,41,43 and 45-52_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for

the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-4, 6, 12-16, 23-27, 34, 35, 37-39, 41-43, 45-49 are rejected under 35 U.S.C. 102(e) as

being anticipated by Slaunwhite et al. (US20030090471, hereinafter Slaunwhite).

As to claims 1, 12, Slaunwhite shows:

A method comprising steps, and a corresponding computer-readable storage medium storing

program instructions, for providing a hot key corresponding to a particular function (e.g., zoom) in a

computer system, the computer system having a graphical user interface (GUI) and including a pointing

device enabling a user to select items displayed in the GUI, the particular function provided for a context

of an application program, a user providing input within a context (abstract, lines 1-7), comprising:

integrating a hot key configuring function into the GUI such that a user can access the hot key

configuring function from within the context and without leaving the context (page 3, paragraph [0040],

lines 5-12) (e.g., user can quickly press hot key, change settings, and then go back to application, without

looking for a toolbar or a large dialog), wherein the context includes a displayed item (e.g., a zoom GUI)

displayed in the GUI corresponding to the particular function, and wherein the particular function is

performed in response to the displayed item being selected by the pointing device (page 3, paragraph

[0050]) (e.g., figures 4 and 5 show that the zoom GUI item appears in two places, in the top toolbar and

as element 202; one of ordinary skill in the art would readily understand that the zoom GUI item in the top

toolbar would be displayed both before the appearance of element 202 in response to a user pressing a hot key, and after a user dismissal of element 202; the zoom GUI item in the top toolbar would enable a user to "perform the particular function when the item is selected by the pointing device");

mapping the hot key to the particular function and storing the mapping (e.g., assigning of the shortcut keys to item types), the mapping and storing performed without the user leaving the context and in response to the user utilizing the hot key configuring function in the context (page 2, paragraph [0037]; figure 3), wherein the mapping causes the particular function (e.g., zoom) to be accessed by the computer system when the mapped hot key is selected (page 3, paragraph [0038], last 4 lines), and wherein the mapping includes:

receiving an indication of the particular function (e.g., zoom) to which the hot key (e.g., short cut key) is to be mapped, the indication provided by the user moving the pointing device over the displayed item (e.g., receiver 102 receives the item type from the user input unit 10) to indicate the particular function (e.g., zoom) corresponding to the displayed item (e.g., non-command item type zoom GUI) for the mapping, wherein the same displayed item is selectable by the pointing device to perform the particular function and is indicatable by the pointing device to indicate the particular function for the mapping (page 2, paragraph [0036]; figure 3, element 150) (e.g., figures 4 and 5 show that the zoom GUI item appears in two places, in the top toolbar and as element 202; one of ordinary skill in the art would readily understand that the zoom GUI item in the top toolbar would be both selectable to perform the zooming function, and indicatable by a pointing device, or user input unit 10, to indicate the zooming function for mapping, per paragraph [0036], lines 1-3); and

receiving a key combination as the hot key in response to the user selecting the key combination using a hardware input device, the key combination being received after the indication of the particular function to which the hot key is to be mapped has been received (e.g., the key receiver receives the shortcut key after receiving the non-command item type from user input 10) (page 2, paragraph [0036]).

As to claims 2, 13, 24, Slaunwhite shows:

The method of claim 1 further comprising the step of:

accounting for ambiguities in the receiving of the key combination, such that the mapping of the particular function to the hot key is not confused with accessing a function previously mapped to the hot key (page 3, paragraph [0038]) (e.g., when the user presses a shortcurt key, it is unambiguously decided which function is being accessed, in accordance with the previous shortcut key assignation step) .

As to claims 3, 14, 25, Slaunwhite shows:

wherein the pointing device includes a mouse (page 2, paragraph [0027]), and wherein the hot key configuring function integrating step further includes the steps of:

determining the plurality of items selectable in the context (page 2, paragraphs [0035] and [0036], lines 1-3);

and providing (e.g., making possible but not necessarily causing) a mechanism that maps at least one of the plurality of items to the hot key from the context without the user leaving the context (page 2, paragraph [0036], lines 3-8).

As to claims 4, 15, 26, Slaunwhite shows:

wherein the hot key configuring function integrating step further includes a mechanism that accounts for ambiguities, if any, between the hot key (e.g., command item) and a pre-existing hot key (e.g., non-command item) (page 3, paragraph [0038]).

As to claims 6, 16, 27, Slaunwhite shows:

wherein the indication of the particular function using the pointing device over the displayed item does not cause the particular function to be performed (page 2, paragraph [0036]) (e.g., a user identifying the non-command item type to the item receiver 102 does not trigger the function).

As to claim 23, Slaunwhite shows:

A computer system (page 4, paragraph [0058]) comprising:

a hardware mechanism that provides an application, the application providing a context (figure 4) and having a particular function (e.g., zoom) available therein, the particular function provided for a context of an application program (e.g., zooming), a user providing input within the context (e.g., arrow down)(page 3, paragraph [0050], lines 1-12);

a graphical user interface (GUI) (figure 4);

and a hot key configuring function integrated into the GUI (figure 1, element 100) such that a user can access the hot key configuring function from within the context and without leaving the context (page 3, paragraph [0040], lines 5-12) (e.g., user can quickly press hot key, change settings, and then go back to application, without looking for a toolbar or a large dialog), the integrated hot key configuring function utilized by a user to designate a map of the hot key to the particular function and store the mapping without the user leaving the context (e.g., assigning of the shortcut keys to item types), wherein the mapping causes the particular function to be accessed by the computer system when the mapped hot key is selected (page 3, paragraph [0038], last 4 lines),, and wherein the mapping is created by receiving an indication of the particular function to which the hot key is to be mapped and receiving a key combination as the hot key in response to the user selecting the key combination using a hardware input device, the key combination being received after the indication of the particular function to which the hot key is to be mapped has been received (page 2, paragraph [0036), wherein the indication is provided by the user moving the pointing device over the displayed item to indicate the particular function corresponding to the displayed item for the mapping (page 2, paragraph [0036), wherein the same displayed item is selectable by the pointing device to perform the particular function and is indicatable by the pointing device to indicate the particular function for the mapping (e.g., figures 4 and 5 show that the zoom GUI item appears in two places, in the top toolbar and as element 202; one of ordinary skill in the art would readily understand that the zoom GUI item in the top toolbar would be both selectable to perform the zooming function, and indicatable by a pointing device, or user input unit 10, to indicate the zooming function for mapping, per paragraph [0036], lines 1-3).

As to claims 34, 38, 42, Slaunwhite shows:

The method of claim 1 wherein mapping the hot key to the particular function without the user leaving the context includes mapping the hot key to the particular function without the user providing input to a menu separate from the context (page 2, paragraph [0036]; figure 3, elements 150-154) (e.g., no menu is taught).

As to claims 35, 39, 43, Slaunwhite shows:

The method of claim 1 wherein mapping the hot key to the particular function without the user leaving the context includes receiving the indication of the particular function (e.g., item type) made by the user without the user providing input to a menu separate from the context (column 2, paragraph [0036]; figure 3, elements 150) (e.g., no menu is taught).

As to claims 37, 41, 45, Slaunwhite shows:

wherein the displayed item is a text-based item including displayed text (e.g., the text indicating zoom level), and wherein the indication of the particular function includes selecting a portion of the text of the corresponding item, the portion of the text being less than the entire displayed text of the display item (e.g., setting focus to the zoom level selects a portion of the text of the item indicating the zoom level) (page 3, paragraph [0040], lines 1-8; page 1, paragraph [0005], lines 1-9).

As to claim 49, Slaunwhite shows:

The method of claim 35 wherein the context is a particular context, and wherein the application program has a plurality of different contexts which can each independently receive user input (page 1, paragraph [0004]).

As to claims 50, 51, 52, Slaunwhite shows:

wherein the indication of the particular function to which the hot key is to be mapped is provided by an action of the pointing device different than an action of the pointing device providing the selection of

the displayed item to perform the particular function (page 2, paragraph [0036] (e.g., one of ordinary skill

in the art would readily understand that an action of user input unit 10 would be different when selecting

the zoom GUI item for zooming action than when indicating the zoom GUI item for mapping, per

paragraph [0036], lines 1-3)

References to specific columns, figures or lines should not be limiting in any way. The entire

reference provides disclosure related to the claimed invention.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness

rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

Claims 36, 40, 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Slaunwhite et

al. (US20030090471, hereinafter Slaunwhite).

As to claims 36, 40, 44, Slaunwhite shows:

Slaunwhite shows a method, computer-readable storage and system substantially as claimed, as

specified above.

Slaunwhite further teaches: a shortcut key being Alt-Z and having been assigned the "zoom drop

down listbox" item type (page 3, paragraph [0050]) (Thus, Slaunwhite teaches the letter Z as part of the

shortcut key to the Zoom function).

Slaunwhite fails to specifically show: wherein the indicating of the particular function for the mapping includes clicking on one letter of the text of the corresponding displayed item with the pointing device, wherein a key of the hardware input device that matches the one letter of the text is assigned as a portion of the hot key.

It would have been obvious to one of ordinary skill in the art, having the teachings of Slaunwhite at the time that the invention was made, to have included the indicating of the particular function for the mapping includes clicking on one letter of the text of the corresponding displayed item with the pointing device, wherein a key of the hardware input device that matches the one letter of the text is assigned as a portion of the hot key with the method, computer-readable storage and system as taught by Slaunwhite.

One would have been motivated to make such combination because a way to simplify the way in which a user accesses a particular non-command user interface item would have been obtained and desired, as expressly taught by Slaunwhite (page 1, paragraph [0010]).

Claims 10, 21, 32, 36, 40, 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Slaunwhite et al. (US20030090471, hereinafter Slaunwhite) in view of Forest (US5999895).

As to claims 10, 21, 32, 36, 40, 44:

Slaunwhite shows a method, computer-readable storage and system substantially as claimed, as specified above.

Slaunwhite further shows: wherein the computer system further includes a pointing device (page 2, paragraph [0027]), wherein the context includes a displayed feature corresponding to the particular function (page 2, paragraph [0037]) (e.g., item type on a list) and wherein the mapping step further includes the steps of:

receiving an indication of the particular function to which the hot key is to be mapped (page 2, paragraph [0037]) (inherent to "user selects the item type from a list")

receiving a selection of a key combination as the hot key (page 2, paragraph [0036], lines 3-8).

Slaunwhite fails to specifically show: moving the pointing device over the displayed item to indicate the particular function includes *the user hovering the pointing device over the displayed item for a predetermined amount of time,* wherein the indication of the particular function for mapping does not include clicking the pointing device on the displayed item, and wherein the selection of the displayed item to perform the particular function includes clicking on the displayed item; and indication of the particular function includes the user hovering a pointing device over a portion of the corresponding item in the GUI for a predetermined amount of time, and wherein the indication of the particular function for mapping does not include clicking the pointing device on the displayed item, and wherein the selection of the displayed item to perform the particular function includes clicking on the displayed item

Forest shows that it was well-known, at the time of the instant invention, that squares of a keyboard may be sized to match an operator's abilities, and also that an on-screen keyboard may be used, with a picture of a keyboard drawn on a computer display; the operator then selecting a letter by pointing to that letter's key image on the display with a mouse, then indicating that he has reached his target either by operating a switch (e.g., clicking) or by maintaining the location indicated by the pointed (e.g., dwelling or hovering) on the key image for a predetermined period of time (column 3, lines 53-66) (e.g., Forest teaches indicating by hovering, or not clicking, and selecting by clicking were both well known in the art prior to the instant invention).

Thus, one of ordinary skill in the art could have combined the elements as claimed by known methods (e.g., as taught by Slaunwhite and Forest), and in combination, each element merely would have performed the same function as it did separately (see KSR, 550 U.S. at ___, 82 USPQ2d at 1391).

References to specific columns, figures or lines should not be limiting in any way. The entire reference provides disclosure related to the claimed invention.

Response to Arguments

Applicant's arguments have been fully considered but are not persuasive. Examiner reiterates that references to specific columns, figures or lines should not be limiting in any way. The entire reference provides disclosure related to the claimed invention. Applicant argues that:

Slaunwhite is silent to Applicant's claimed feature of a particular function is performed when a corresponding displayed item is selected by the pointing device, and the particular function is indicated for mapping when the pointing device is moved over that same displayed item (page 14, penultimate paragraph).

Examiner disagrees.

Examiner notes that Slaunwhite discloses that a user (page 2, paragraph [0036]) uses a pointing device to select an item type. Thus, Slaunwhite clearly teaches a particular function being indicated for mapping by using a pointing device to select it. Further, Slaunwhite defines item types as command item types, such as toolbar buttons and menu items, and non-command item types, such as drop down list boxes, slider controls, edit boxes, color selections, etc (page 2, paragraphs [0033] and [0034]). Therefore, Slauwhite does disclose a particular function being performed when a corresponding item is selected by the pointing device (e.g., when a user presses a button on a tool bar, or uses a slider control).

2) The Examiner stated that paragraph [0036] teaches a user using a pointing device to select an item type (function for mapping). However, as stated above, paragraph [0036] only states that the item receiver 102 "receives" the item type from the user input unit 10. Nowhere does Slaunwhite teach that the user is selecting a displayed function-performing item, such as a zoom GUI item, a button on a tool bar, or a slider control, to provide that item type to the item receiver 102 for mapping to a hot key. This "receiving" of an item type in Slaunwhite clearly is meant as the selection of an item type from the customization dialog of paragraph [0037]. The Examiner also stated that Figs. 4 and 5 show a zoom GUI item in a top toolbar that would enable a user to perform the particular function when the item is selected. However, nowhere is this zoom GUI (page 17, antepenultimate paragraph).

Examiner disagrees.

Examiner notes that the limitation referred to by Applicant may be reasonably interpreted to mean that the same displayed item can be selected for both to perform its particular function and to be included as the target of a shortcut key or hot key. Slaunwhite teaches both, as specified above.

3) Claim 35 recites receiving the indication of the particular function for mapping without the user providing input to a menu separate from the context. The Examiner stated that paragraph [0036] does not teach a menu. However, at paragraph [0037] Slaunwhite does teach a menu (the list of item types in a customization dialog), and this menu is Slaunwhite's only specific description for indicating a function for mapping (page 18, last paragraph).

Examiner disagrees.

The particular passage cited by Applicant states that "typically" there is a menu. Thus, it incorrect to state that this is the "only" description, as one of ordinary skill in the art would readily interpret the word "typically" as "not always."

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

May   [U.S. 5973688]

Wang   [US7015898]

Williams et al   [US20040239637]

Numano   [US6934778]

Forest   [US5999895, column 3, lines 53-66]

Tarbox et al.   [US6020889, column 5, lines 55-66]

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JORDANY NUNEZ whose telephone number is (571)272-2753. The examiner can normally be reached on Monday Through Thursday 9am-7:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Bashore can be reached on (571)272-4088. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JN
5/10/2008

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